

UNITED STATES DISTRICT COURT
WESTERN DISTRICT ARKANSAS
FAYETTEVILLE DIVISION

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JILL DILLARD, JESSA SEEWALD, JINGER
VUOLO, and JOY DUGGAR, : Civil Action No.: 17 Civ. 5089 (TLB)
Plaintiffs, :
- against - :
CITY OF SPRINGDALE, ARKANSAS;
WASHINGTON COUNTY, ARKANSAS;
KATHY O'KELLEY, in her individual and
official capacities; ERNEST CATE, in his
individual and official capacities; RICK HOYT,
in his individual and official capacities; STEVE
ZEGA, in his official capacity; BAUER
PUBLISHING COMPANY, L.P.; BAUER
MAGAZINE, L.P.; BAUER MEDIA GROUP,
INC.; BAUER, INC.; HEINRICH BAUER
NORTH AMERICA, INC.; BAUER MEDIA
GROUP USA, LLC; and DOES 1-10, inclusive,
Defendants. :
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**DECLARATION OF ELIZABETH A. McNAMARA IN SUPPORT OF
MOTION BY DEFENDANTS BAUER PUBLISHING COMPANY, L.P.; BAUER
MAGAZINE, L.P.; BAUER MEDIA SALES, INC.; BAUER, INC.; HEINRICH BAUER
NORTH AMERICA, INC.; AND BAUER MEDIA GROUP USA, LLC TO DISMISS
PLAINTIFFS' COMPLAINT**

I, Elizabeth A. McNamara, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am a partner at the law firm of Davis Wright Tremaine LLP, attorneys for Defendants Bauer Publishing Company, L.P.; Bauer Magazine, L.P.; Bauer Media Sales, Inc., formerly known as Bauer Media Group, Inc.; Bauer, Inc.; Heinrich Bauer North America, Inc.; and Bauer Media Group USA, LLC (collectively, the “Bauer Defendants”) in the above-captioned matter.
2. I submit this declaration to annex documents relevant to the Bauer Defendants’ motion to dismiss Plaintiffs’ Complaint. These documents, the articles at issue in Plaintiffs’ invasion of

privacy and tort of outrage claims, are integral to Plaintiffs' claims, and are thus properly before the Court on the Bauer Defendants' Rule 12(b)(6) motion.

3. Annexed hereto as **Exhibit A** is a true and correct copy of the article titled *19 Kids and Counting Son Named in Underage Sex Probe* published on May 19, 2015 on the *In Touch* website and the companion print article titled *Josh Duggar Named in Underage Sex Probe* dated June 1, 2015 and available for sale May 20, 2015.

4. Annexed hereto as **Exhibit B** is a true and correct copy of the article titled *Bombshell Duggar Police Report: Jim Bob Duggar Didn't Report Son Josh's Alleged Sexual Offenses For More Than A Year* published on May 21, 2015 on the *In Touch* website and the companion print article titled *Inside the Duggars' Twisted World – House of Horrors* dated June 8, 2015 and available for sale on May 27, 2015.

5. Annexed hereto as **Exhibit C** is a true and correct copy of the article titled *Josh Duggar's Youngest Molestation Victim May Have Been As Young As 5-Years-Old* published on May 26, 2015 on the *In Touch* website.

6. Annexed hereto as **Exhibit D** is a true and correct copy of the article titled *Josh Duggar's Chilling Molestation Confession in New Police Report* published on June 3, 2015 on the *In Touch* website and the companion print article titled *Bombshell New Police Report* dated June 15, 2015 and available for sale on June 3, 2015.

7. Annexed hereto as **Exhibit E** is a true and correct copy of the article titled *Josh Duggar Resurfaces Looking Heavier, Unkempt* published on April 28, 2017 on the *In Touch* website.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
August 22, 2017



ELIZABETH A. McNAMARA